## NARCOTICS LAW BULLETIN

## **INDEX**

## **JANUARY 1983 THROUGH DECEMBER 1983**

|   | Month  | Page |
|---|--------|------|
| Aiding And Abbeting   |        |      |
| Arranging Drug Sale, Banks, (7th Cir.)                          |        | 1    |
| May be Convicted as Principal, Hudak, (Ind.)                    |        | 2    |
| Requires Proof of Actual Sale, Gregg, (Pa.)                     | Aug.   | 7    |
| Arrest  |        |      |
| In Home - Warrant Required - Also Hotel Room, Mowrer, (Ind.) .  | Aug.   | 4    |
| Police Discretion - Habitual Offender, Hinsley, (6th Cir.)      | Sept.  | . 6  |
| Attempt To Possess  |        |      |
| Actions and Intent, Inella, (11th Cir.)                         | Mar.   | . 8  |
| Cocaine, Joyce, (8th Cir.)                                      | Mar.   | 4    |
| Refusal of Cocaine Does Not Negate Crime, McDowall, (11th Cir.) | Dec.   | 3    |
| Attorneys   |        |      |
| Representing Multiple Defendants, Mers, (11th Cir.)             | Sept.  | . 3  |
| Consent   |        |      |
| Entry, Wyman, (Ore.)  | Jan.   |      |
| Involuntary - Illegal Stop, Hageman, (Ore.)                     |        |      |
| Search - Luggage and Containers, Wargin, (Fla.)                 | Jan.   |      |
| Search - Required by Probation Conditions, Owens, (11th Cir.)   |        |      |
| Third Party - Invalid, Carsey, (Ore.)                           | Feb.   | 7    |
| Conspiracy  |        |      |
| Circumstantial Evidence Sufficient, Vergara, (8th Cir.)         |        |      |
| Co-conspirator's Testimony, Gregg, (Pa.)                        |        |      |
| Evidence of, Cicale, (2nd Cir.)                                 | . Mar. | -    |
| Inculpatory Testimony, Brown, (5th Cir)                         | . Mar. | . 8  |
| Inferred, Knight, (11th Cir.)                                   | . Sept |      |
| No Guilt by Association, Ward, (8th Cir.)                       | Aug    | . 5  |
| Control   |        |      |
| Needed to Prove Possession, Oaks, (Tex.)                        | . May  | 5    |

Published by Quinlan Publishing Company, Inc. 131 Beverly Street • Boston, MA 02114

Copyright © 1983

Regina L. Quinlan, J.D., Editor

|  | Month   | Dans |
|--|---------|------|
| Over Drugs in Truck, Galvan, (5th Cir.)                                | . Apr.  |      |
| Controlled Substances  |         |      |
| Classified by FDA, Heckler, (9th Cir.)                                 | Nov.    | . 2  |
| Potential for Abuse Pre-Determined, Tabas, (Pa.)                       |         |      |
| Statutory Classification, Puertas, (Mich.)                             |         |      |
| Detention  |         |      |
| Luggage - Reasonable, Yocham, (Ga.)                                    | . Sept. | . 5  |
| Reasonable, Lewis, (Colo.)   | . July  |      |
| Distribution   |         |      |
| Cocaine, Neal, (10th Cir.)   |         |      |
| Illegal - Physician not Prescribing Acceptably, De LaCruz, (Ma.)       | . May   | 3    |
| Dog Sniff  |         |      |
| Established Probable Cause, Bothwell, (Ga.)                            | . June  | 3    |
| Not a Search, Mayberry, (Ca.)  | . June  | 8    |
| Not Search, but Invalid, Horton, (5th Cir.)                            | . Mar.  | . 7  |
| Probable Cause, Waltzer, (2nd Cir.)                                    | . Jan.  | 2    |
| Drug Couerier Profile  |         |      |
| Insufficient Alone, Rodriguez, (Wash.)                                 | . Feb.  | 8    |
| Not Grounds for Stop, Gooding, (4th Cir.)                              | . May   | 5    |
| Entrapment   |         |      |
| Buying Drugs - Not Shown, Starkey, (Tex.)                              | . July  | 3    |
| Not Shown, Wilhelm, (Ind.)   |         |      |
| Predisposition to Crime, Huff, (Ind.)                                  | . May   | 2    |
| Entry  |         |      |
| Exigent Circumstances, Berick, (5th Cir.)                              |         |      |
| Exigent Circumstances, Martinez-Gonzalez, (2nd Cir.)                   |         | _    |
| Exigent Circumstances - Entry onto Airstrip, Baylin, (Fla.)            |         |      |
| Exigent Circumstances Justified, Pool, (N.M.)                          |         |      |
| Forced - Invalid, Luloff, (Iowa)                                       |         |      |
| Open Fields Doctrine, Brennan, (Fla.)                                  |         |      |
| Owner Entered Rented Room with Police, Salpas, (Tex.)                  |         | -    |
| Pretense, Ahart, (Iowa) Private Party's, Wyman, (Ore.)                 |         |      |
| Warrant Arrives Afterward, Riley, (Fla.)                               |         |      |
| Warrantless - Requirements, Stamps, (Ill.)                             |         |      |
| Evidence   |         |      |
| Admission by Defendant, Porsche Coupe, (Pa.)                           | . Mar   | . 5  |
| Circumstantial - Conspiracy, Vergara, (5th Cir.)                       |         |      |
| Circumstantial - Possession, German, (Ala.)                            |         |      |
| Circumstantial - Sufficient, Castillo, (Ga.)                           |         | . 3  |
| Circumstantial - Sufficient, Doran, (11th Cir.)                        |         | . 2  |
| Circumstantial - Sufficient - Boat with Marijuana, Miller, (11th Cir.) | . Apr.  |      |
| Destruction of Marijuana not Prejudicial, Doty, (8th Cir.)             | . Dec.  |      |
| Importation - Receipt via Mail Inconclusive, Koua Thao, (8th Cir.)     |         |      |
| Inferring Source's Identity, Weatherd, (8th Cir.)                      |         |      |
| Insufficient - Possession, Sneed, (5th Cir.)                           |         |      |
| Of Conspiracy, Cicale, (2nd Cir.)                                      |         |      |
| Passage of Time, Foster, (9th Cir.)                                    | . Oct.  |      |
| Passage of Time, Rohrer, (9th Cir.)                                    | . Nov   | . 3  |

| Previously Excluded Evidence Later Admissible, Lopez-Martinez, (9th                                   | Month  | Page |
|---|--------|------|
| Cir.)   | Nov.   | . 7  |
| Relevant - Established Travel Plans, Chanya, (5th Cir.)   |        |      |
| Sufficient - Importation, Brooks, (11th Cir.)   |        | . 1  |
| Sufficient - Possession, Fletcher, (Fla.)   |        |      |
| Sufficient to Convict - Possession, Reiman, (Okla.)   |        |      |
| Testimony as to Weight of Marijuana, Madruga, (Fla.)  | Nov.   | . 4  |
| Voice Sample, Williams, (6th Cir.)  | . July | 1    |
| Expectation Of Privacy  |        |      |
| Boat - Lower, Sherman, (Fla.)   | . Jan. | 6    |
| Containers, Fyock, (Ind.)   | . May  |      |
| Gas Tank of Truck, Perez, (9th Cir.)  | . Feb. |      |
| Lacking - in Other's Purse, Wright, (Ala.)  | . Nov. |      |
| Less for Regulated Business, Acklen, (6th Cir.)   |        |      |
| Luggage at Airport, Yocham, (Ga.)   |        |      |
| Maritime Search, Bent, (11th Cir.)  |        |      |
| Needed to Challenge Search, Reiman, (Okla.)   |        |      |
| None for Odors from Luggage, Mayberry, (Ca.)  |        |      |
| Parking Lot, Lopez, (Tex.)  | . Oct. | 1    |
| Forfeiture  |        |      |
| Car - Probable Cause to Believe Used in Crime, One 1980 BMW, (N.Y.)                                   |        |      |
| Crime-Related Property, \$4,255,625, (Fla.)   |        |      |
| Of Car - Delivered Drugs - Upheld, Reding, (Ark.)   |        |      |
| Of Car - Interest of Innocent Party in Car, 1978 Corvette, (Kan.)                                     |        |      |
| Of Car - Probable Cause, Weinstein, (Ca.)   |        | -    |
| Of Car - Used in Drug Deals, Mercury Cougar, (Colo.) Of Car - Used in Drug Sale, Porsche Coupe, (Pa.) |        |      |
| Of Car - When Appropriate, 1981 Datsun, (Pa.)   |        | -    |
| Of Money - Probable Cause, \$22,287, (6th Cir.)   |        |      |
| Of Plane - Probable Cause of Use in Sale, Beechcraft Baron, (5th Cir.)                                |        | -    |
| Frisk   |        |      |
| Invalid, Hampton, (Ore.)  | . Jan. | 4    |
| Invalid - Non-Suspect Who is Present, Broadnax, (Wash.)   | . Apr  | . 7  |
| Justified - Weapons, Dyle, (Okla.)  | . Oct. | . 7  |
| Reasonable - Passenger with Arrestee, Taylor, (Ore.)  | . Aug  | . 2  |
| Identification  |        |      |
| In-Court Identification 20 Months After Arrest, Story, (Mo.)  | . Aug  | . 7  |
| Importation   |        |      |
| Circumstantial Evidence of Knowledge Valid, Doran, (11th Cir.)  | . Feb. | . 2  |
| Continuing Criminal Enterprise, Graziano, (11th Cir.)   |        | -    |
| Evidence Sufficient, Sockwell, (5th Cir.)   |        |      |
| Evidence Sufficient, Brooks, (11th Cir.)  |        | . 1  |
| Mailed Opium - Not Proof, Koua Thao, (8th Cir.)   |        | . 2  |
| Informants  |        |      |
| Conclusory Statements Insufficient, Kolodziej, (5th Cir.)   | . Nov  | . 7  |
| Conditions for Judging Information Provided, Funice, (Pa.)  |        |      |
| Corroborated, Gains, (La.)  | . Jun  |      |
| Corroborated - Probable Cause, Miley, (Pa.)   |        |      |
| Must State Source, Tisler, (Ill.)   |        |      |
| Probable Cause Provided, Jackson, (Ala.)  |        |      |
| Reliable - Probable Cause, Burns, (2nd Cir.)  | . Jan  | . 2  |

|  | Month  | Page |
|--|--------|------|
| Statements Made to, Malik, (7th Cir.)  | . Feb. | 6    |
| Intent To Distribute   |        |      |
| Conviction Unsupported, Pagan, (Pa.)   | . Oct. | 1    |
| Inferred, Sneed, (5th Cir.)  | . Sept |      |
| Inferred from Amount Possessed, Filipponio, (Ill.)   |        |      |
| Inferred from Large Amount of Drugs, Cardona, (Pa.)  |        | . 5  |
| Officer's Testimony, Staton, (La.)   |        | 2    |
| Investigation  |        |      |
| Lawful - Plain view, Illingworth, (Ore.)   | . Mar  | . 1  |
| Jurisdiction   |        |      |
| Court Must Wait for FDA Determination, Heckler, (9th Cir.)   | . Nov  | . 2  |
| Jury   |        |      |
| Assesses Credibility, Olivas, (Tex.)   | . Oct. |      |
| Instructions Faulty - Conviction Reduced, Gooch, (N.C.)  |        |      |
| Instructions Faulty - Harmless, Murray, (Va.)  |        |      |
| Instructions on Lesser Offense, Story, (Mo.)   |        |      |
| Instructions to Jury Faulty, Brown, (5th Cir.)   | . Mar  | . 8  |
| Knowledge  |        |      |
| Inferred, Smith, (Mont.)   | . Aug  | . 4  |
| Inferred from Drugs in Car, Courtright, (N.C.)   |        | 1    |
| Of Contents of Cargo, Farrugia, (Fla.)   |        | . 1  |
| Of Drug's Identity, Bean, (Tex.)   |        |      |
| Proved by Deliberate Ignorance, Gonzales, (5th Cir.)   |        |      |
| That Substance is Controlled, Gonzales, (5th Cir.)   | . June | e 2  |
| Open Fields  |        |      |
| Aerial Observations of Marijuana, Brennan, (Fla.)  | . Feb. | . 4  |
| Yard of Abandoned House, Olson, (Ga.)  | . Oct. | . 6  |
| Plain View   |        |      |
| Bottle With Drugs, Dyle, (Okla.)   |        | . 7  |
| Displaying Marijuana, Hicks, (Fla.)  |        |      |
| Letter in Apartment, Strickland, (Pa.)   |        |      |
| Marijuana Growing on Window Sill, Illingworth, (Ore.)  | . Mai  | r. 1 |
| Possession   |        |      |
| Attempt to Possess Cocaine, Joyce, (8th Cir.)  |        |      |
| Circumstantial Evidence, German, (Ala.)  |        |      |
| Cocaine, Filipponio, (Ill.)  | . Sep  |      |
| Cocaine in Bloodstream - Does Not Prove, Flinchpaugh, (Kan.)   |        |      |
| Constructive - Access Insufficient to Prove, Leach, (Md.)  |        |      |
| Constructive - Access to Drugs, Castillo, (Ga.)  |        |      |
| Constructive - Access to Dweiling, Miley, (Pa.)  |        |      |
| Constructive - Control, Cardona, (Pa.)   |        |      |
| Constructive - Control, Knight, (11th Cir.)  |        |      |
| Constructive - Control over Cocaine, Davis, (11th Cir.)  Constructive - Control over Drugs, Wise, (Wyo.) |        |      |
| Constructive - Control over Drugs, Wise, (Wyo.)  Constructive - Control over House, Sneed, (5th Cir.)    |        |      |
| Constructive - Control over House, Sneed, (5th Cir.)   |        |      |
| Constructive - Denvery by Mail, Sinth, (Molt.)  Constructive - Intermediary in Drug Deal, Archer, (Va.)  |        | 9.   |
| Constructive - Joint Occupancy, Brown, (Fla.)  |        |      |
| Constructive - Knowing Control, Rucker, (D.C.)   | Jun    | , -  |
|  |        |      |

|   | Month 1 | Page |
|---|---------|------|
| Constructive - Needed to Establish, Brown, (Fla.)   |         | 2    |
| Constructive - Not Shown, Garland, (Va.)  | July    | 7    |
| Constructive - Paper Bag, Vergara, (5th Cir.)   | Feb.    | 3    |
| Constructive - Plastic Bag Discarded, Stemple, (Mont.)                                    | Mar.    | 2    |
| Constructive - Proven, Jackson, (Ala.)  | Oct.    | 4    |
| Constructive - Proximity not Enough, Gordon, (5th Cir.)                                   |         | 2    |
| Control Must be Proved, Galvan, (5th Cir.)  |         | 1    |
| Evidence Insufficient, Leach, (Md.)   |         | 4    |
| Evidence Sufficient, Jones, (Ala.)  |         | 4    |
| Evidence Sufficient, Olivas, (Tex.)   |         | 6    |
| Evidence Sufficient, Fletcher, (Fla.)   |         | 3    |
| Inferred, Cruz, (Ill.) Intent to Distribute - How to Prove, Cruz, (Ill.)                  |         | 4    |
| Intent to Distribute - How to Prove, Cruz, (III.)   |         | 2    |
| Knowledge of Contents of Cargo, Farrugia, (Fla.)  |         | 1    |
| No Guilt by Association, Ward, (8th Cir.)   |         | 5    |
| Of Paraphernalia - Syringe, Doswell, (Md.)  |         | 6    |
| One Charge Made Although Drugs in two Locations, Wright, (8th Cir.)                       |         | 5    |
| Presence in Room with Drugs and Dealer, Jones, (7th Cir.)                                 |         | 3    |
| Presence Near Drugs Insufficient Proof, Oaks, (Tex.)                                      |         | 5    |
| Proven, Morris, (N.D.)  | July    | 7    |
| Simple Possession Conviction, Gooch, (N.C.)   | May     | 6    |
| Transferer may Possess Although Not Owner, Wilhelm, (Ind.)                                | . July  | 1    |
| Within U.S., Territory, Muench, (2nd Cir.)  | . May   | 7    |
|   |         |      |
| robable Cause   |         |      |
| Arrest - Cocaine, Capers, (8th Cir.)  |         | 1    |
| Arrest - Drug Deal, Stamps, (Ill.)  |         | 5    |
| Despite Mistake in Affidavit, Ward, (8th Cir.)  Dog Sniffing Luggage, Waltzer, (2nd Cir.) |         | 2    |
| Drug Courier, Bothwell, (Ga.)   |         | 3    |
| Entry and Arrest, Martinez-Gonzalez, (2nd Cir.)   |         | 1    |
| Forfeiture of Car, One 1980 BMW, (N.Y.)   |         | 1    |
| Forfeiture of Car, Weinstein, (Ca.)   |         | 1    |
| Forfeiture of Car, Mercury Cougar, (Colo.)  |         | 1    |
| Forfeiture of Crime-Related Property, \$4,255,625, (Fla.)                                 |         | 6    |
| Forfeiture of Plane, Beechcraft Baron, (5th Cir.)   |         | 5    |
| Informant, Burns, (2nd Cir.)  |         | 2    |
| Informant - Reliable and Revealing Source, Tisler, (Ill.)                                 |         | 7    |
| Justifies Search of Car and Containers, Olson, (Ariz.)                                    | . Apr.  | 5    |
| Lacking - Association with Drug Dealer, Everroad, (8th Cir.)                              |         |      |
| Lacking - Faulty Warrant, Haines, (Ore.)  |         |      |
| Lacking - Person in Suspicious Location, Everroad, (8th Cir.)                             |         |      |
| Lacking - Possession of Syringe, Mitchell, (Tex.)   |         |      |
| Non-Controlled Substance Does Not Establish, Tate, (9th Cir.)                             |         | 7    |
| Objective Test - Valid Seizure, Lowry, (Ore.)   |         | 7    |
| Officer's Opinion Relevant, Foster, (9th Cir.)  |         | 8 2  |
| Presence with Dealer does Not Constitute, Taylor, (Ore.)  Search of Boat, Sherman, (Fla.) |         | 6    |
| Search of Car, Nickerson, (Tex.)  |         | 3    |
| Search of Car, Nickerson, (Tex.) Search of Drug Supplier's Home, Bulgatz, (8th Cir.)      |         | _    |
| Search Warrant - Lacking, David, (Mi.)  |         |      |
| Sufficiency of Affidavit, Funice, (Pa.)   |         |      |
| To Search Car and Occupants, Rucker, (D.C.)   |         | -    |
| Totality of Circumstances - Laundering Money, Espinoza-Orlando, (11t                      |         |      |
| Cir.)   |         | 8    |
| Unnecessary for Approach, Beasley, (1st Cir.)   |         |      |
|   |         |      |

|  | Month  | Page |
|--|--------|------|
| Right To Silence Constitutional Right, Massey, (10th Cir.)   | Feb.   | 2    |
| Prosecutor's Comment, Massey, (10th Cir.)  |        | 2    |
| Voice Sample Does Not Violate, Williams, (6th Cir.)  |        | 1    |
| Sale   |        |      |
| Licensed Pharmacist - Unauthorized Location, Goldstein, (10th Cir.)                                    | May    | 1    |
| No Probable Cause for Searching Site of Sale, David, (Mi.)   |        |      |
| Physician Illegally Prescribing, De LaCruz, (Ma.)  |        |      |
| Unlicensed, Lockhardt, (Oh.)   |        |      |
| Search   |        |      |
| After Invalid Impoundment of Car, Higgins, (Fla.)  | Apr.   | 4    |
| Aliens at Border - Probable Cause, Gordon, (5th Cir.)  |        |      |
| Binocular Observations Unconstitutional, Rowe, (Fla.)  |        |      |
| Boat, Sherman, (Fla.)  |        |      |
| By Private Party, Morgan, (Wash.)  |        | 8    |
| Car on Premises of House, Courtright, (N.C.)   |        | 1    |
| Consent as a Required Probation Condition, Owens, (11th Cir.)  |        | 7    |
| Consent - Luggage - Scope, Wargin, (Fla.)  |        | 7    |
| Danger Justified, Clements, (Colo.)  | . Aug  | . 3  |
| Exigent Circumstances, Berick, (5th Cir.)  | . Nov  | . 4  |
| Extended Beyond Warrant - Invalid, Hawkins, (Ga.)  | . June | 4    |
| Flashlight - Valid, Harder, (Kan.)   |        |      |
| Incident to Arrest, Burns, (2nd Cir.)  |        |      |
| Incident to Arrest - Car, Enriquez, (5th Cir.)   |        |      |
| Incident to Arrest - Scope, Wright, (Fla.)   |        |      |
| Invalid - Warrant Invalid, Haines, (Ore.)  |        |      |
| Inventory Search of Impounded Car, Licourt, (Fla.)   |        | -    |
| Justified - Box in Truck, Harder, (Kan.)   |        |      |
| Metal Detector at Courthouse Entrance - Valid, Harris, (Ma.)   |        |      |
| Night-time - with Warrant, Menginie, (Pa.)   |        |      |
| No Standing to Object, Wright, (Ala.)  |        |      |
| No Time to Obtain Warrant, Vittelone, (N.J.)   |        |      |
| Of all Present on Site of Drug Dealing, Betts, (N.Y.)  |        |      |
| Officers Breaking and Entering, Jefferson, (7th Cir.)  |        | -    |
| Package - Invalid, Morgan, (Wash.)   |        | -    |
| Pat-Down Invalid, Hampton, (Ore)   |        |      |
| Personal Belongings - No Consent Given, Hawkins, (Ga.)   |        |      |
| Police "Community Caretaking Function", Alexander, (Wash.)  Probable Cause - of Car, Nickerson, (Tex.) |        |      |
| Probable Cause Justifies - Car and Container, Olson, (Ariz.)   |        |      |
| School Officials - Lockers and Cars, Horton, (5th Cir.)  |        |      |
| Significant Expansion Invalidates, Eiseman, (R.I.)   |        |      |
| Sock in Car - Invalid, Fyock, (Ind.)   |        |      |
| Valid - Buildings Near Field of Marijuana, Eaton, (Ore.)   |        | -    |
| Valid for Home of Drug Supplier, Bulgatz, (8th Cir.)   |        |      |
| Seizure  |        |      |
| Abandoned Matchbox - Valid, Gains, (La.)   | . June | e 8  |
| Binocular Observations Unconstitutional, Rowe, (Fla.)  |        |      |
| Illegal - Cocaine, Martinez-Gonzalez, (2nd Cir.)   |        |      |
| Interception of Luggage Not a Seizure, Yocham, (Ga.)   |        |      |
| Invalid - Forfeiture of Car, Mercury Cougar, (Colo.)   |        |      |
| Items Not Listed in Warrant, Jefferson, (7th Cir.)   |        | -    |
| No Cause - Prescription Bottle, Kelly, (Fla.)  | . May  |      |
| Not Occurring - Airport Stop, Jensen, (11th Cir.)  | . Feb  |      |

|   | Month  |      |
|---|--------|------|
| Probable Cause - Objective Test, Lowry, (Ore.)  | Feb.   | 7    |
| Reasonable Suspicion Justified, Manchester, (1st Cir.)  | Nov.   | . 5  |
|   |        |      |
| Sentencing  |        |      |
| Consecutive Sentences Proper, Filipponio, (7th Cir.)  | July   |      |
| Life Term Invalid, Clements, (La.)  | Oct.   |      |
| Not Excessive, Herberg, (Pa.)   | . Mar. |      |
| Quantity of Drugs and Other Factors, Poggas, (Ala.)   | . June | 1    |
| Ship  |        |      |
| Federal Authority over U.S. Ships, Alonzo, (4th Cir.)   | . Mar. | . 7  |
| Statements  |        |      |
| Admissible - Voluntary, Olson, (Ga.)  | . Oct. | 6    |
| Evidence of Conspiracy, Cicale, (2nd Cir.)  |        |      |
| Made to Informant, Malik, (7th Cir.)  | . Feb. | 6    |
| Statutes  |        |      |
| Classification of Controlled Substances, Puertas, (Mich.)   | . Sept | . 2  |
| Crimes of Addicts, McCroy, (Ill.)   | . Nov  | . 6  |
| Drug Paraphernalia Act Upheld, Thornburgh, (Pa.)  | . Nov  | . 1  |
| Irrational Classification of Drug Alleged, Fogarty, (8th Cir.)  | . Mar  |      |
| Possession - Law Upheld, Hensel, (11th Cir.)  | . Nov  |      |
| Prohibitions of Sale and Delivery Not in Conflict, Reding, (Ark.)                                     | . Mar  | . 6  |
| Stop  |        |      |
| Aliens at Border, Gordon, (5th Cir.)  | . Nov  | . 5  |
| Invalid - Hairstyles as Basis, Hageman, (Ore.)  | . Jan. |      |
| Not a Seizure - Airport Approach, Jensen, (11th Cir.)   |        |      |
| Reasonable, Lewis, (Colo.)  |        |      |
| Reasonable Articulable Suspicion, Gooding, (4th Cir.)   |        |      |
| Routine Questioning, Manchester, (1st Cir.)   |        |      |
| Suspicion Well-Founded, Wright, (Fla.)  | . Jan. | . 5  |
| Testimony   |        |      |
| As to Intent to Distribute, Staton, (La.)   | . Oct. | . 2  |
| Co-Conspirator's, Gregg, (Pa.)  |        |      |
| References to Prior Crimes, Young, (La.)  | . June | e 6  |
| Trial   |        |      |
| Attorney with Multiple Defendants, Mers, (11th Cir.)  | . Sept | t. 3 |
| Questioning and Guilty Pleas, Sockwell, (5th Cir.)  |        |      |
| Remarks by Prosecutor, Strickland, (Pa.)  |        | . 3  |
| Venue Proper, Brunty, (11th Cir.)   | . Aug  | . 8  |
| Warrant   |        |      |
| Administrative - Valid, Acklen, (6th Cir.)  | . Apr  | . 2  |
| Affidavit Faulty, Haines, (Ore.)  |        | 4    |
| Affidavit Sufficient, Foster, (9th Cir.)  | . Nov  | 7. 8 |
| Arrest in Home or Hotel Room Requires Warrant, Mowrer, (Ind.)   | . Aug  | 3. 4 |
| Based on Probable Cause - Judge's Standard for Determination, Doty, (8)                               | th     |      |
| Cir.)   | . Dec  |      |
| Basis Insufficient, Kolodziej, (5th Cir.)   |        |      |
| Construed with Affidavit, Johnson, (6th Cir.)   |        |      |
| 'House' Includes all of Suspect's Property, Courtright, (N.C.)  Issued but Not in Hand, Riley, (Fla.) |        |      |
| Issued for Night-Time Search, Menginie, (Pa.)   |        | -    |
| issued for raight. I time Search, Menginie, (Fa.)   | . Gep  | b. 1 |

|   | Month  | Page |
|---|--------|------|
| Misstatements in Affidavit, Donaldson, (N.M.)                   | Nov.   | 8    |
| No Time to Obtain, Vittelone, (N.J.)                            | . May  | 4    |
| Not Required - Arrest in Business Establishment, Mowrer, (Ind.) | Aug.   | 4    |
| Probable Cause Lacking - Site of Drug Sale, David, (Mi.)        | . Mar. | 3    |
| Specific Enough, Ostrowski, (Wyo.)                              | . Dec. | 7    |
| Valid - Allowed Search of All Present, Betts, (N.Y.)            | . Apr. | 8    |
| Valid Although Affidavit Faulty, \$22,287, (6th Cir.)           | Oct.   | 3    |

